

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

BENNIE DEAN HENDERSON, #27055177 §

VS. § CIVIL ACTION NO. 5:05cv117

UNITED STATES OF AMERICA §

ORDER ADOPTING REPORT AND RECOMMENDATION

Petitioner Bennie Dean Henderson, a prisoner confined at the FCI Texarkana, filed this petition for a writ of habeas corpus challenging the enhancement of his sentence, pursuant to 28 U.S.C. § 2241. The motion was referred to United States Magistrate Judge Caroline M. Craven.

The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. The Report recommended dismissing it with prejudice for lack of jurisdiction and dismissing without prejudice regarding all other issues. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is **DISMISSED WITH PREJUDICE** for lack of jurisdiction and **DISMISSED WITHOUT PREJUDICE** regarding all other issues; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 30th day of January, 2006.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE